

Remarks

Claims 61-77 are pending in this Application.

On page 1 of the Office Action mailed November 15, 2007, the Examiner stated that the claims include two groups of inventions identified as:

- Group 1: Claims 61-77 directed to methods of determining coordinates of a feature; and
- Group 2: Claims 78-83 and 84-89 directed to monitoring an aircraft structure with an image capture device and a target to the aircraft structure and using the captured image to determine the target.

Applicants with this paper provisionally elect Group 1 claims, Claims 61-77, for further prosecution. Claims 78-83 and 84-89 have been withdrawn.

With election of Group 1, the Examiner on page 4 of the Office Action considers Claims 61 and 67 to be generic. On page 3 of the Office Action the Examiner asserts that election of Group 1 requires further election of species directed to one of:

- Species 1: a method for determining coordinates of a feature in an image, wherein the feature is in a second image and a difference of the two is performed
—identified by the Examiner to be Claims 65 and 68-72;
- Species 2: a method of determining coordinates of a feature in an image further requiring that determining be done by correlating the feature with the image containing a plurality of pixel positions
— identified by the Examiner to be Claims 62-64, 66 and 77; and
- Species 3: a method of determining coordinates wherein an additional coordinate is calculated in a third dimension using a known relationship between two image capture devices
— identified by the Examiner to be Claims 73-75.

Applicants provisionally elect Species 2, Claims 62-64, 66 and 77. Applicants further

submit that Claims 68, 69, 70, 71 and 72 are readable on the elected species for the reasons given below.

Claims 69 and 70, as claimed, are not directed to determining coordinates of a feature in an image. In addition, Claim 69 is solely dependent on Claim 61, which, as claimed, does not generally relate to a method for determining coordinates of a feature in an image, wherein the feature is in a second image and a difference of the two is performed.

Claims 68, 71 and 72, as claimed, are also not directed to determining coordinates of a feature in an image. Claim 68 relates to a method in which more than one image is captured and does not involve a method in which two images are compared, as is required with Species 1. Claim 71 is related to display of a captured image; position is only determined with reference to that individual image and does not involve a difference be performed using a second image. Claim 72 is a dependent of Claim 71. Therefore, Claims 68, 71 and 72 should each be directed to Species 2.

For the reasons provided herewith, a Species 2 election to include Claims 62-64, 66, 68-72 and 77 is respectfully requested. Applicants have withdrawn claims 65 (Species 1) and Claims 73-75 (Species 3).

Applicants also respectfully submit that for examination purposes a restriction is not proper. Applicants respectfully point out that in accordance with MPEP 803, “If the search and examination of all the claims in an application can be made without serious burden, the examiner must examine them on the merits, even though they include claims to independent or distinct inventions.” The Examiner has not stated that there would be a serious burden. To this end, Applicants respectfully submit that a restriction is not required for examination purposes.

Conclusion

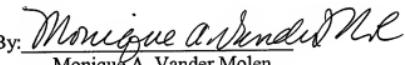
In light of the amendments and remarks presented with this paper, Applicants respectfully submit that the pending and amended claims beginning on page 2 of this paper are in condition for allowance. Accordingly, favorable consideration for and allowance of such claims are respectfully requested.

A Petition for Extension of Time and the appropriate fee for a two-month extension is provided with this paper. It is believed that no additional fees are due. If this is incorrect, the Commissioner is authorized to charge those fees, other than the issue fee, that may be required by this paper to Deposit Account No. 07-0153.

Should the Examiner have any questions or comments, or if further clarification is required, it is requested that the Examiner contact the undersigned at the telephone number listed below.

Dated: February 15, 2008

Respectfully submitted,
GARDERE WYNNE SEWELL LLP

By: 
Monique A. Vander Molen
Registration No.: 53,716

Address for Correspondence:

Customer No. 32914